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*Counsel for Plaintiff Rachel Banks Kupcho*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MAXIMILLIAN KLEIN, *et al.*,

Plaintiffs,

v.

META PLATFORMS,

Defendant.

Case No. 3:20-CV-08570-JD

DECLARATION OF PLAINTIFF  
RACHEL BANKS-KUPCHO IN  
SUPPORT OF APPLICATION FOR  
APPOINTMENT AS INTERIM LEAD  
CONSUMER CLASS COUNSEL BY  
SHANA E. SCARLETT OF HAGENS  
BERMAN SOBOL SHAPIRO LLP, OR  
IN THE ALTERNATIVE, SHANA E.  
SCARLETT AND REBECCA A.  
PETERSON OF LOCKRIDGE  
GRINDAL NAUEN P.L.L.P.

This document relates to:

All Consumer Actions

1 I, Rachel Banks-Kupcho, declare as follows:

2 1. I am a Named Plaintiff in the matter captioned *Klein et al. v. Meta Platforms*, No.  
3 3:20-cv-08570-JD.

4 2. I have been involved since the inception of this litigation. I am one of three named  
5 representatives for the consumer class. I have actively participated to date in this litigation through  
6 responding to interrogatories, and collecting documents for production to Defendant Facebook. I  
7 have been in frequent contact with attorneys from Hagens Berman Sobol Shapiro LLP and  
8 Lockridge Grindal Nauen P.L.L.P. throughout this litigation.


9 3. I have been apprised of the current discussion regarding leadership in this case  
10 through discussions with counsel. I understand that the Court has denied a motion to substitute  
11 Kevin Teruya as interim co-lead consumer class counsel. I understand the Court has stated that the  
12 consumer class counsel arrangement has become dysfunctional and not in the best interests of the  
13 putative class. I have communicated with Ms. Scarlett and Ms. Peterson and I agree with the Court's  
14 conclusion.

15 4. I believe both Hagens Berman and Lockridge value diversity, and I have worked  
16 with their attorneys and staff from varied backgrounds, including gender, age, race, nationality and  
17 sexual orientation.

18 5. I believe that diversity in the leadership team is essential to successfully representing  
19 myself as well as the national class that I represent.

20 6. Given the above, I support an appointment of Shana E. Scarlett as sole Lead Counsel  
21 in this case, or in the alternative, Shana E. Scarlett and Rebecca A. Peterson as Co-Lead Counsel for  
22 the consumer class.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is  
24 true and correct. Executed this 3rd day of February, 2023 at Edina, Minnesota.

25 DocuSigned by:  
26   
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27 RACHEL BANKS-KUPCHO